

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

IN RE:	:	CHAPTER 11
	:	
Flourish Home Investors LLC,	:	CASE NO. 22-57068 - WLH
	:	
DEBTOR.	:	

MARY IDA TOWNSON,	:	
UNITED STATES TRUSTEE,	:	
	:	
MOVANT,	:	
	:	
v.	:	CONTESTED MATTER
	:	
Flourish Home Investors LLC,	:	
	:	
RESPONDENT.	:	

**NOTICE OF HEARING ON UNITED STATES TRUSTEE'S
MOTION TO DISMISS CASE**

PLEASE TAKE NOTICE that the United States Trustee has filed a motion requesting the above-referenced case be dismissed.

PLEASE TAKE FURTHER NOTICE that the Court will hold an initial telephonic hearing for announcements on the United States Trustee's motion at the following number: toll-free number **833-568-8864, meeting ID 161 202 1574, at 1:30 p.m. on October 20, 2022**, in Courtroom 1403, United States Courthouse, 75 Ted Turner Drive, S.W., Atlanta, Georgia 30303.

Matters that need to be heard further by the Court may be heard by telephone, by video conference, or in person, either on the date set forth above or on some other day, all as determined by the Court in connection with this initial telephonic hearing. Please review the "Hearing Information" tab on the judge's webpage, which can be found under the "Dial-in and Virtual

Bankruptcy Hearing Information” link at the top of the webpage for this Court, www.ganb.uscourts.gov for more information.

Your rights may be affected by the court’s ruling on this motion. You should read this motion carefully and discuss it with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.) If you do not want the court to grant the relief sought in this motion or if you want the court to consider your views, then you and/or your attorney must attend the hearing. You may also file a written response to the motion with the Clerk at the address stated below, but you are not required to do so. If you file a written response, you must attach a certificate stating when, how and on whom (including addresses) you served the response. Mail or deliver your response so that it is received by the Clerk at least two business days before the hearing. The address of the Clerk’s Office is: Clerk, U.S. Bankruptcy Court, Suite 1340, 75 Ted Turner Drive, SW, Atlanta, GA 30303. You must also mail a copy of your response to the undersigned at the address stated below.

Dated: September 13, 2022

MARY IDA TOWNSON
UNITED STATES TRUSTEE
REGION 21

By: _____/s/
Martin P. Ochs
Georgia Bar No. 091608
United States Department of Justice
Office of the United States Trustee
362 Richard Russell Building
75 Ted Turner Drive, SW
Atlanta, Georgia 30303
(404) 331-4509
martin.p.ochs@usdoj.gov

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

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Flourish Home Investors LLC,	:	CASE NO. 22-57068 - WLH
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MARY IDA TOWNSON,	:	
UNITED STATES TRUSTEE,	:	
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	:	
Flourish Home Investors LLC,	:	
	:	
RESPONDENT.	:	

UNITED STATES TRUSTEE'S MOTION TO DISMISS CASE

COMES NOW Mary Ida Townson, United States Trustee for Region 21, in furtherance of the administrative responsibilities imposed by 28 U.S.C. § 586(a), and respectfully moves this Court to enter an order converting or dismissing the above-captioned Chapter 11 case for cause pursuant to 11 U.S.C. § 1112(b). In support thereof, the United States Trustee represents as follows:

1. This case was commenced September 6, 2022, by the filing on behalf of the Debtor of a voluntary petition for relief under Chapter 11 of the Bankruptcy Code (the "Petition").
2. The Petition was signed by Dexter Hull, as an alleged member of the Debtor.
3. The Debtor did not file its Statement of Financial Affairs, Schedule(s) A/B, E/F, G and H, Summary of Assets and Liabilities, Corporate Resolution, List of Equity Security Holders, or List of 20 Largest Unsecured Creditors. (Doc. No. 3).

4. The Debtor did not pay its chapter 11 filing fee. (Doc. No. 4).
5. No trustee has been appointed in the case.
6. No committee of unsecured creditors has been appointed in the case.
7. It appears on the face of the petition that Debtor is an artificial entity and that it is not represented by an attorney.
8. It appears from a review of the docket that the Debtor has not sought an order to retain counsel in this bankruptcy case.
9. Because Debtor is an artificial entity, it cannot represent itself in this proceeding, nor may its officers appear before this court on its behalf unless they are licensed attorneys. *See Palazzo v. Gulf Oil Corp.*, 764 F.2d 1381, 1385 (11th Cir. 1985); *National Indep. Theatre Exhibitors, Inc. v. Buena Vista Distrib. Co.*, 748 F.2d 602, 609 (11th Cir. 1984).

WHEREFORE, the United States Trustee respectfully moves this Court to enter an order dismissing this case and granting such other relief as the Court deems just and proper.

MARY IDA TOWNSON
UNITED STATES TRUSTEE
REGION 21

_____/s/
Martin P. Ochs
Georgia Bar No. 091608
Office of the United States Trustee
362 Richard Russell Building
75 Ted Turner Drive, SW
Atlanta, Georgia 30303
(404) 331-4509
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CERTIFICATE OF SERVICE

This is to certify that I have on this day electronically filed the foregoing *United States Trustee's Motion to Dismiss Case and Notice of Hearing* using the Bankruptcy Court's Electronic Case Filing program, which sends a notice of this document and an accompanying link to this document to the following party who has appeared in this case under the Bankruptcy Court's Electronic Case Filing program:

I further certify that on this day, I caused a copy of this document to be served via United States First Class Mail, with adequate postage prepaid on the following parties at the address shown for each:

ALL PARTIES ON ATTACHED MATRIX

_____/s/_____
Martin P. Ochs
Georgia Bar No. 091608
United States Department of Justice
Office of the United States Trustee
362 Richard Russell Building
75 Ted Turner Drive SW
Atlanta, Georgia 30303
(404) 331-4509
martin.p.ochs@usdoj.gov

Label Matrix for local noticing
113E-1
Case 22-57068-wlh
Northern District of Georgia
Atlanta
Tue Sep 13 14:35:52 EDT 2022

AlphaFlow, Inc.
135 Madison Avenue
New York, NY 10016-6759

Churchill Real Estate
7 Mercer Street
New York, NY 10013-2585

FCI Lender Services Inc
8180 E Kaiser Blvd
PO Box 27378
Anaheim, CA 92808-2277

Flip Funding LLC
c/o MMMLAW
1600 Atlanta Financial Center
3340 Peachtree Road NE
Atlanta, GA 30326-1000

Flourish Home Investors LLC
Suite 244
2870 Peachtree Road
Atlanta, GA 30305-2918

Gingo Palumbo Law Group, LLC
4700 Rockside Road
Suite 440
Independence, OH 44131-2186

INTERNAL REVENUE SERVICE
P O BOX 7346
2970 MARKET STREET
PHILADELPHIA, PA. 19104-5002

Internal Revenue Service
P. O. Box 7346
Philadelphia, PA 19101-7346

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1600 Atlanta Financial Center
3343 Peachtree Road NE
Atlanta, GA 30326-1044

New York Mortgage Trust
90 Park Ave Floor 23
New York, New York 10016-1336

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Office of the U. S. Trustee
362 Richard Russell Federal Bldg.
75 Ted Turner Drive, SW
Atlanta, GA 30303-3330

Secretary of the Treasury
15th & Pennsylvania Avenue, NW
Washington, DC 20200

U. S. Securities and Exchange Commission
Office of Reorganization
Suite 900
950 East Paces Ferry Road, NE
Atlanta, GA 30326-1382

United States Trustee
362 Richard Russell Federal Building
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Lisa McVicker Wolgast
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Atlanta, GA 30326-1044

The following recipients may be/have been bypassed for notice due to an undeliverable (u) or duplicate (d) address.

(u)AlphaFlow Transitional Mortgage Trust 2021

(u)NYMT Commercial Acquisitions, LLC

End of Label Matrix
Mailable recipients 16
Bypassed recipients 2
Total 18